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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,634	04/01/2004	Pawin Suthapong	MS1-1936US	2831
22801 7590 06/18/2009				
LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201				
EXAMINER				
SEYE, ABDOUK				
ART UNIT		PAPER NUMBER		
2194				
MAIL DATE		DELIVERY MODE		
06/18/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,634

Applicant(s)

SUTHAPONG, PAWIN

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2009.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/CD/CD)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 6, 2009 has been entered.

Claims 1-34 are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

3. Claims 5, 10, 13, 19, 24, 27 and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejected claims are written in Markush type and the use of "comprising" (for example; see claim 5, line 4 a group comprising) for Markush makes claims indefinite.

Ex parte Dotter, 12 USPQ 382 (Bd. App. 1931). Further, "a group" should have been -- the group—. See MPEP 803.02 and 2173.05(h).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-34 are rejected under 35 U.S.C. 103 (a) as unpatentable over Ellis et al. (US 20040102931) in view of Beyda et al (US 6260160).

5. As to claim 15, Ellis teaches the invention substantially as claimed including an apparatus (FIG. 6A; paragraph 204) comprising:

a computing device (610, FIG. 6A) configured to collect information about a device (FIG. 4; including device information collected ; 626, FIG. 6A wherein the driver A is the device) installed on the computing device (paragraph 204; wherein loading of the "driver

A" is installing the device) and present the information through a user interface (700, FIG. 7; paragraph 213; wherein "700" is the user interface that present information), wherein the information is collected using function calls (paragraph 182; wherein the multiple functions within the network component provide the function calls) of an application programming interface (640; FIG. 6A; wherein the "control software" is the application program interface) of an operating system environment of the computing device (paragraph 207; wherein the "operating system" is the operating environment); and

the device installed on the computing device, wherein the information is presented when the installed device is not attached to the computing device (paragraph 27; wherein claimed elements the "plug-in A" in FIG. 6A and "wireless network " and the "wireless device" in FIG. 5/6A imply that limitation that the installed device is not attached) .

6. Ellis does not explicitly teach that the information is presented without booting the computing device into a special mode.

7. Beyda teaches that information is presented without booting a computing device into a troubleshooting/special mode (col. 7, lines 3-5; wherein the device information in RAM is presented to the remote troubleshooting site without a need to boot an operating system).

8. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Ellis's invention with Beyda's to have information presented without booting the computing device into a special mode, by allowing proper diagnose of malfunctions associated with a local computer and local peripheral devices in order to improve the Ellis's system performance .

9. As to claim 1, it is rejected for the same reasons as claim 15 above.

10. As to claims 2 and 16, Ellis teaches, wherein the information presented comprises all data available to an operating system running on the computing device regarding the installed device (paragraph 207).

11. As to claims 3 and 17, Beyda's teaches, wherein the special mode is a troubleshooting mode (abstract).

12. As to claims 4 and 18, Ellis teaches, wherein the information regarding the installed device is modified in response to a modification request (FIG. 9; wherein the claimed element "modify function" meets the claimed limitation of the claim).

13. As to claims 5 and 19, Ellis teaches, wherein the information regarding the installed device is modified in response to a modification request and the modification request is one or more items selected from a group comprising change value and delete value (FIG. 7; paragraph 213; wherein the claimed element "update", "value" meets the claimed limitation of the claim).

14. As to claims 6 and 20, Ellis teaches, wherein the information regarding the installed device is modified in response to a modification request from a user (860, FIG. 8; wherein the claimed element "allowing a user" of Ellis reference meets the claimed limitation of the claim).

15. As to claims 7 and 21, Ellis teaches, wherein the information is presented in response to a user selecting the installed device (FIG. 7; paragraph 213).

16. As to claims 8 and 22, Ellis teaches, wherein the information is dynamically updated in response to a change event (paragraph 173).

17. As to claims 9 and 23, Ellis teaches, wherein the information is dynamically updated in response to a hot-plugging event (622,FIG. 6A; paragraph 213).

18. As to claims 10 and 24, Ellis teaches, wherein the information regarding the installed device is one or more items selected from a group comprising device hardware ID, device status, device ID, device port type, device driver version, device driver provider, device driver INF location, device driver section, device drivers' file list, device drivers services' status, and device drivers' service information (FIG. 7; wherein the claimed element "device model ME47A" of Ellis's reference is the device service information and device ID).

19. As to claims 11 and 25, Ellis teaches, wherein the information is presented to a local user (610,FIG. 6B; wherein the "personal computer 610" includes a local user).

20. As to claims 12 and 26, Beyda teaches, Wherein the information regarding the installed device is provided to a remote support person (col. 7, lines 5-7; wherein the "technician" is a remote support person).

21. As to claims 13 and 27, Beyda teaches, wherein the information regarding the installed device is provided to a remote support person through one or more communication channels selected from a group comprising a public telephone network, Internet, and an intranet (col. 6, lines 42-55).

22. As to claims 14 and 28, Ellis teaches, wherein the method indicates whether a driver installation is incomplete (FIG. 18; wherein the step "1830" is an indication that the software/driver downloading/installation is completed).

23. As to claim 29, it is rejected for the same reason as claims 1, 21, and 24 above.

24. As to claim 30, Beyda teaches, wherein the information presented comprises all data available to an operating system running on the computing device regarding the installed device (col. 5, lines 10-20).

25. As to claim 31, it is rejected for the same reasons as claims 3 and 17 above.

26. As to claim 32, it is rejected for the same reasons as claims 4 and 18 above.

27. As to claim 33, it is rejected for the same reasons as claims 5 and 19 above.

28. As to claim 34, it is rejected for the same reasons as claims 6 and 20 above.

Response to Arguments

29. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection. Further, the examiner acknowledges applicant's interview request and, after review of the instant Office action, applicant is encouraged to contact the examiner with specific interview agenda.

Conclusion.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdou Karim Seye whose telephone number is 571-270-1062. The examiner can normally be reached on Monday - Friday 8:30 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hyung S. SOUGH/
Supervisory Patent Examiner, Art Unit 2194
06/16/09

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